

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 In re the M/V REBEKAH, Official
9 No. 623866, and HER ENGINES,
MACHINERY, GEAR, TACKLE,
APPAREL, and APPURTENANCES

C24-0237 TSZ
(consolidated with C24-0246 JNW)

MINUTE ORDER

10 The following Minute Order is made by direction of the Court, the Honorable
11 Thomas S. Zilly, United States District Judge:

12 (1) The motion for partial summary judgment, docket no. 47, brought by Foss
13 Offshore Wind Holdings, LLC (“FOWH”) and Foss Maritime Company, LLC (“Foss
14 Maritime”), is DENIED. FOWH and Foss Maritime (collectively, the “Foss Entities”)
15 have not demonstrated the requisite absence of any genuine dispute of material fact or
entitlement to judgment as a matter of law. *See* Fed. R. Civ. P. 56(a). Whether, at the
time Stephen Dufrene was injured, the bareboat charter agreement between Magazine
Tug, LLC and FOWH was in effect and/or either of the Foss Entities had the requisite
possession or control of the M/V REBEKAH involves questions of fact.

16 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of
17 record.

18 Dated this 11th day of February, 2025.

19 Ravi Subramanian
Clerk

20 s/Laurie Cuaresma
21 Deputy Clerk
22
23